



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,171	07/20/2001	Saleem Chisty Mohammad	INS 102	1861

35273 7590 03/04/2005

BEVER, HOFFMAN & HARMS, LLP  
1432 CONCANNON BLVD  
BLDG G  
LIVERMORE, CA 94550-6006

EXAMINER

PATEL, NITIN C

ART UNIT PAPER NUMBER

2116

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/910,171

**Applicant(s)**

MOHAMMAD, SALEEM CHISTY

**Examiner**

Nitin C. Patel

**Art Unit**

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 9, 13 and 22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-12, 14-21 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2116

### DETAILED ACTION

1. This is in responsive to amendment filed on 7 January 2005.
2. Claims 9, 13, and 22 are cancelled.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 2 MAR 05  
U3
3. The use of slashes ~~as~~ symbols between descriptive elements in the claims renders the scope and meaning of the claims unclear, as the slashes could be construed to mean "and", "or", or both "and" and "or".

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 8, 10 – 12, 14 – 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant admitted prior art [AAPA], and further in view of Wang et al. [hereinafter as Wang], US 6,546,496 [cited in previous office action].
5. As to claims 1, 8, 14 and 21, AAPA discloses system and method of operation for an Ethernet Media Access [MAC] controller consists of device logic and a set of registers and counters designated as a control and status register/remote monitor counter [CSR/RMON] block with status register to store event information which occurs on the Ethernet cable and when event occurs, one or more of the status registers are

Art Unit: 2116

updated by controller, and clock signal is used to enable the application to both program and read the registers and remote monitor counters in CSR/RMON block [background on page 1 – 2].

However, AAPA does not teach enabling of clock signal only when event occurs but it teaches use of clock continuously. In summary, AAPA does not teach event-enabled clock for functional blocks on needed basis.

Wang discloses a system for network interface with power conservation using dynamic clock control and method of operation with logic used to monitor activity on network interface card, and response to events enable the clocks for functional blocks within controller chip, on an as needed basis [col. 1, lines 45 – 67, col. 2, lines 1 – 59].

It would have been obvious to one of ordinary skill in art, having the teachings of AAPA and Wang before him at the time of invention was made, to modify application of clock to CSR/RMON block to include a dynamic clock control responsive to event enabled clock for functional blocks as taught by Wang, in order to obtain reduced in power consumption in the network interface card, and in the computer system [col. 2, lines 41 – 59, fig. 1].

6. As to claims 2, 10, 12, 15, and 23, Wang discloses to disable the clock signal [turned off] after the operation [receiving and transmission] is performed [col. 2, lines 41 – 55].

7. As to claims 3, and 16, AAPA discloses programming a control register in CSR/RMON block [background on page 1 – 2].

Art Unit: 2116

8. As to claims 4, and 17, AAPA discloses that the CSR/RMON block is a part of a media access controller register [background on page 1 – 2].

9. As to claims 5, and it is inherent to CPU of computer system with network interface to detect an interrupt signal from media access control component and required logic to detect it.

10. As to claims 6, and 19, Wang discloses enabling the clock signal responsive to event detection therefore; he teaches to employ [to use] event detection signal as the interrupt signal to enable the clock.

11. As to claims 7, AAPA discloses a reading of at least one of a remote monitor counter, control register, and a status register in CSR/RMON block [background on page 1 – 2].

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1 – 8, 10 - 12, 14 – 21, and 23 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2116

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 6:45 am to 5:15 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on 571-272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nitin C. Patel  
March 2, 2005

  
**LYNNE H. BROWNE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**